

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	CASE NO. 1:18CR252
)	
PLAINTIFF,)	JUDGE SARA LIOI
)	
vs.)	
)	ORDER
OSCAR ARMANDO AMAYA-)	
MELENDEZ,)	
)	
DEFENDANT.)	

This matter is before the Court upon Magistrate Judge Kathleen B. Burke's report and recommendation that the Court ACCEPT Defendant Oscar Armando Amaya-Melendez's ("Defendant") plea of guilty and enter a finding of guilty against defendant. (Doc. No. 17.)

On May 23, 2018, the government filed an indictment against defendant. (Doc. No. 1.) On December 10, 2018, this Court issued an order assigning this case to Magistrate Judge Burke for the purpose of receiving defendant's guilty plea. (Doc. No. 15.)

On December 11, 2018, a hearing was held in which defendant entered a plea of guilty to count 1 of the indictment, charging him with False Claim to Citizenship to Obtain Benefits, in violation of 18 U.S.C. Section 1015(e), and count 2 of the indictment, charging him with Aggravated Identity Theft, in violation of 18 U.S.C. Section 1028A(a)(1). Magistrate Judge Burke received defendant's guilty plea and issued a Report and Recommendation ("R&R") recommending that this Court accept the plea and

enter a finding of guilty. (Doc. No. 17.)

Neither party objected to the Magistrate Judge's R&R in the fourteen days after it was issued.

Upon *de novo* review of the record, the Magistrate Judge's R&R is ADOPTED. Specifically, the Court finds as follows: that the defendant is competent to enter a plea, that he understands his constitutional rights, that he is aware of the consequences of entering a plea, and that there is an adequate factual basis for the plea. The Court further finds that the plea was entered knowingly, intelligently, and voluntarily. Accordingly, the defendant's plea of guilty is APPROVED.

Therefore, the defendant is adjudged guilty of count 1 in violation of 18 U.S.C. Section 1015(e), and count 2 in violation of 18 U.S.C. Section 1028A(a)(1). The sentencing will be held on March 21, 2019 at 10:00 a.m.

IT IS SO ORDERED.

Dated: January 17, 2019



HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE